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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,316	12/17/2004	Takashi Tanaka	P26024	6727
7055 7590 11/19/2007 GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			EXAMINER NGUYEN, NAM V	
			ART UNIT 2612	PAPER NUMBER
			NOTIFICATION DATE 11/19/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/517,316

Applicant(s)

TANAKA ET AL.

Examiner

Nam V. Nguyen

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/25/07.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) ✓
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This communication is in response to applicant's Amendment which is filed July 25, 2007.

An amendment to the claims 1-13 has been entered and made of record in the application of Tanaka et al. for a "method for multi-reading a plurality of ID's".

A new claim 14 is introduced.

Claims 1-14 are now pending in the application.

Response to Arguments

The Supplemental response or supplemental amendment filed August 22, 2007 is not entered because it is not compliance with 37 CFR 1.111 (a) (2).

The Examiner did not intend to indicate the Specification was objected. The Specification was proper content.

In view of applicant's amendment to amend the claims 2-4 and 9 to obviate the 35 U.S.C. §112 rejections, therefore, examiner has withdrawn the rejection under 35 U.S.C §112, second paragraph.

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Applicant's amendments to the rejected claims are insufficient to distinguish the claimed invention from the cited prior arts or overcome the rejection of said claims under 35 U.S.C § 103(a) as discussed below. Applicant's amendment and argument with respect to the pending claims 1 and 14, filed July 22, 2007, have been fully considered but they are not persuasive for at least the following reasons.

On page 11, forth paragraph, Applicant's arguments with respect to the invention in McLean does not teach or suggest that the specifying by an interrogator a read range of IDs in query is not persuasive.

McLean disclose wherein a base station 120 (i.e. interrogator) and multiple checktags (i.e. transponders) repeat queries and responses there-between in order that the interrogator discriminates unique ID given to each one of the checktags {see McLean, column 4, lines 3-21} and wherein said base station 120 when querying specifies a read zone and no-read zone (considered as functionally equivalent to the claimed "read range of IDs") shown in Figure 1 and permits a response from only the transponders whose IDs are within said read zone {see McLean, column 4, lines 26-45}. Clearly, McLean discloses the base station 120 specified the read zone 180 before starting to interrogate. If check tag A or application tag responses within read zone 180, then base station 120 acknowledge that tags in read zone 180, which the base station specified.

Claim Rejections - 35 USC § 112

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The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 and 14 recites the limitation "the size" in line 8 or 9. There is insufficient antecedent basis for this limitation in the claim.

Referring to claims 2-13 are rejected as being dependent upon a rejected Claims 1 and 14 above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vercellotti et al (US Patent # 5,266,925).

Referring to Claims 1 and 14, Vercellotti et al. disclose a method for multi-reading a plurality of IDs, by which an interrogator (26) and a plurality of electronic identification tag (28) (i.e. multiple transponders) repeat queries and responses there-between in order to allow the interrogator (26) to discriminate a unique ID given to each one of the plurality of electronic identification tag (28) (i.e. multiple transponders) (column 2 line 56 to column 3 line 21; see Figures 2 to 4), the method comprising:

specifying, by the interrogator (26), a tag identification number greater than or equal to an interrogation address A (i.e. a first read range of IDs in a first query) (column 3 lines 60 to 68; see Figure 1).

Although Vercellotti et al. did not disclose if the interrogator does not receive a response to the first query, transmitting, by the interrogator, a second query specifying a second read range of IDs which is twice the size of the first read range of IDs, it would have been obvious to one of ordinary skill in the art, at the time of applicant's invention, to include, expanding the read range of the tag identification number in the interrogation signal to twice the size of the interrogation tag address A because increasing twice the size of the interrogation tag address would improve number of process and reduce interrogations in the direct search system.

Referring to Claims 2 and 3, Vercellotti et al. disclose the method for multi-reading a plurality of IDs as described in the Claims 1 and 14,

Responding, by the electronic identification tags (28), with an ID of the tag (28), if the tag (28) has an ID within the first read range of IDs (column 4 lines 10 to 18; see Figures 1 and 2);

transmitting, by the interrogator (26), an interrogation address A (i.e. a second query specifying a second read range of IDs) is incremented by $A+2(m+j)$ (i.e. half the size of the first read range of IDs), if the interrogator receives a plurality of responses to the first query (column 4 lines 19 to 27; see Figure 1); reading an ID of a responding transponder, if the interrogator receives a single response to the first query; and transmitting, by the interrogator, a second query specifying a second read range of IDs having a starting ID differing from a starting ID of the first read range of IDs, if the interrogator does not receive a response to the first query or receives only a single response to the first query, wherein the method is repeated until a search for all possibly existing IDs has been completed (column 4 lines 28 to 53; see Figure 1).

Referring to Claims 4-6, and 9-11 Vercellotti et al. disclose the method for multi-reading a plurality of IDs as described in the Claims 2 and 3, wherein the sizes of the first and second read ranges are defined by powers of two, and the first and second read ranges are specified by one of a start value and an end value, and an exponent value which sets a size of a read range of IDs (column 4 lines 28 to 35; see Figure 1).

Referring to Claims 7-8 and 12-13, Vercellotti et al. disclose the method for multi-reading a plurality of IDs as described in the Claims 4 and 9, such as the start S or end E have already been addressed in the rejection of claim 2 and therefore rejected for the same obvious reasons.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Dodd et al. (US# 5,339,073) disclose an access control equipment and method for using the same.

Orthmann et al. (US# 5,489,908) disclose an apparatus and method for identifying multiple transponders.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nam V Nguyen whose telephone number is 571-272-3061. The examiner can normally be reached on Mon-Fri, 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Zimmerman can be reached on 571- 272-3059. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nam Nguyen
November 12, 2007



BRIAN ZIMMERMAN
SUPERVISORY PATENT EXAMINER